

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

(1) SAMUEL CRAIG, as Personal Representative)
of the Estate of ROSSCO CRAIG, deceased,)

Plaintiff,)

v.)

Case No.: 21-CV-183-JAR

(1) CORECIVIC, INC., a foreign for-profit)
business corporation,)

(2) CASE MANAGER DOE,)

Defendant.)

**JOINT MOTION TO EXTEND
ALL REMAINING SCHEDULING ORDER DEADLINES**

COME NOW Plaintiff Samuel Craig (“Plaintiff” or “Dr. Craig”), as the Personal Representative of the Estate of Rossco Craig (“Mr. Craig”), deceased, and Defendant CoreCivic, Inc., and respectfully move the Court to enter a Fourth Amended Scheduling Order extending all remaining deadlines by ninety (90) days. In support of this Motion, the Parties show the Court the following:

1. The Court entered the Third Amended Scheduling Order on November 1, 2022. *See* Dkt. #44.

2. The current discovery cutoff is February 1, 2023. *Id.*

3. During the pendency of discovery in this matter, a criminal jury trial in Hughes County District Court was concluded regarding the death of Rossco Craig.

4. The Parties previously agreed that the trial testimony in CF-19-122, *State of Oklahoma v. Trevohn Price* would likely influence the direction and completion of discovery in this present case and, as such, requested the Court enter a Third Amended Scheduling Order to allow time for the certified trial transcript to be completed and reviewed. *See* Dkt. #41.

5. The certified transcript was filed October 26, 2022 and is 562 pages long,

6. A total of eight witnesses testified in CF-19-122, *State of Oklahoma v. Trevohn Price*, including Trevohn Price, a D.O.C. investigator, another prisoner, and multiple CoreCivic employees working at Davis Correctional.

7. Counsel have reviewed the trial testimony in CF-19-122, *State of Oklahoma v. Trevohn Price* and determined that additional discovery needs to take place before the discovery cutoff in this case. At this time, Counsel for Plaintiff and Counsel for Defendant are working to schedule three (3) additional depositions.

8. Counsel for Plaintiff and Counsel for Defendant each have jury trials in other civil rights cases set to begin in February and March 2023, respectively, and preparation for those trials will be extensive.

9. Accordingly, the Parties respectfully request a ninety (90) day extension of all remaining scheduling order deadlines to allow adequate time to schedule and complete the remaining depositions.

10. There have been three previous request to extend scheduling order deadlines.

11. A scheduling order may be modified “for good cause and with the judge’s consent.” Fed. R. Civ. P. 16(b)(4). District Courts are the masters of their own calendars, and thus enjoy “broad discretion” in reviewing motions for continuance and determining deadlines for pretrial and trial activities. *Morris v. Slappy*, 461 U.S. 1, 11 (1983); *Phillips v. Ferguson*, 182 F.3d 769, 775 (10th Cir. 1999).

12. Under the circumstances, as set forth, *supra*, the Parties believe, and urge the Court to find, that there is “good cause” to modify the Third Amended Scheduling Order (Dkt. #44) and enter a Fourth Amended Scheduling Order. Should the Court grant this Motion, the Fourth Amended Scheduling Order would be as follows:

DEADLINE	EXTENDED FROM:	EXTENDED TO:
Discovery Completed	2/1/2023	5/2/23
All Dispositive Motions Filed	2/15/2023	5/16/23
Motions in Limine Filed	3/3/2023	6/1/23
Exchange All Trial Exhibits including Demonstrative Exhibits and Requested Jury Instructions	3/14/2023	6/12/23
Agreed Pretrial Order Submitted	3/14/2023	6/12/23
Agreed Jury Instruction and Proposed Voir Dire, Proposed Findings of Fact and Conclusions of Law (Non-Jury), Disputed Jury Instructions (Included in Trial Brief) and Trial Briefs Filed	3/14/2023	6/12/23
Pretrial Conference at 10:00 AM	4/3/2023	To be reset by the Court
TRIAL DATE at 9:00 A.M.	5/16/2023	To be reset by the Court

WHEREFORE, premises considered, the Parties respectfully request that the Court enter a Fourth Amended Scheduling Order extending all remaining deadlines by ninety (90) days.

Respectfully submitted,

/s/Bryon D. Helm
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CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of January 2023, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to all ECF registrants who have appeared in this case

/s/Bryon D. Helm